

IN THE CLAIMS

Please amend the claims to read as follows:

Listing of Claims

Claims 1-23 (Canceled).

24. (New) A method for controlling the transmission timing of data retransmissions in a wireless communication system, wherein a HARQ protocol is used with synchronous retransmissions from a transmitting entity to a receiving entity via a data channel, and wherein the receiving entity performs the method steps of:

receiving a data packet from the transmitting entity,
determining whether the data packet has been successfully decoded,

if it has been determined that the data packet has not been successfully decoded, transmitting a feedback message to the transmitting entity, wherein the feedback message indicates to the transmitting entity to transmit a retransmission data packet for said received data packet after a predetermined time span upon having received said feedback message,

scheduling data transmissions of a plurality of transmitting entities comprising said transmitting entity, and

transmitting a common control message to a plurality of transmitting entities comprising said transmitting entity, wherein the common control message restricts the transmission format combination subset of each of the plurality of transmitting entities to determine a maximum resource common to the plurality of transmitting entities.

25. (New) The method according to claim 24, wherein the feedback messages indicating the successful or the unsuccessful reception of a data packet are transmitted via a control channel.

26. (New) The method according to claim 25, wherein the information in said feedback messages are sent simultaneously with scheduling related control information.

27. (New) The method according to claim 26, wherein the feedback messages and scheduling related control signaling are sent on the same channelization code.

28. (New) A base station in a wireless communication system wherein a HARQ protocol is used with synchronous retransmissions from a transmitting entity to a receiving entity via a data channel, the base station comprising:

a receiver operable to receive a data packet from the transmitting entity,

a determining unit operable to determine whether the data packet has been successfully decoded,

a transmitter operable to transmit a feedback message to the transmitting entity, if it has been determined that the data packet has not been successfully decoded, wherein the feedback message indicates to the transmitting entity to transmit a retransmission data packet for said received data packet after a predetermined time span upon having received said feedback message,

a scheduler operable to schedule data transmissions of a plurality of transmitting entities comprising said transmitting entity,

wherein said transmitter is operable to transmit a common control message to a plurality of transmitting entities comprising said transmitting entity, wherein the common control message restricts the transmission format combination subset of each of the plurality of transmitting entities to determine a maximum resource common to the plurality of transmitting entities.

29. (New) The base station according to claim 28, wherein the feedback messages indicating the successful or the unsuccessful reception of a data packet are transmitted via one control channel.

30. (New) The base station according to claim 29, wherein the information in said feedback messages is combined with scheduling related control information and is jointly encoded.

31. (New) The base station according to claim 30, wherein the feedback messages and scheduling related control signaling are sent on the same channelization code.

32. (New) A method for controlling the transmission timing of data retransmissions in a wireless communication system, wherein a HARQ protocol is used with synchronous retransmissions from a transmitting entity to a receiving entity via a data channel, and wherein the transmitting entity performs the method steps of:

transmitting a data packet to the receiving entity,
receiving a feedback message from receiving entity and a common control message,

retransmitting the data packet to the receiving entity after a predetermined time span upon having received said feedback message,

restricting the transmission format combination subset of the mobile terminal to determine a maximum resource according to the common control message.

33. (New) The method according to claim 32, wherein the feedback messages indicating the successful or the unsuccessful reception of a data packet are transmitted via one control channel.

34. (New) The method according to claim 33, wherein the information in said feedback messages simultaneously received with scheduling related control information.

35. (New) The method according to claim 34, wherein the feedback messages and scheduling related control signaling are received on the same channelization code.

36. (New) A mobile terminal in a wireless communication system wherein a HARQ protocol is used with synchronous

retransmissions from a transmitting entity to a receiving entity via a data channel, the mobile terminal comprising:

a transmitter operable to transmit a data packet to the receiving entity,

a receiver operable to receive a feedback message from the receiving entity and a common control message,

wherein the transmitter is operable to retransmit the data packet to the receiving entity after a predetermined time span upon having received said feedback message,

a restricting unit operable to restrict the transmission format combination subset of the mobile terminal to determine a maximum resource according to the common control message.

37. (New) The mobile terminal according to claim 36, wherein the feedback messages indicating the successful or the unsuccessful reception of a data packet are transmitted via one control channel.

38. (New) The mobile terminal according to claim 37, wherein the information in said feedback messages are simultaneously received with scheduling related control information.

39. (New) The mobile terminal according to claim 38, wherein the feedback messages and scheduling related control signaling are received on the same channelization code.

40. (New) A wireless communication system comprising a mobile station according to claim 36 and a base station, the base station comprising:

a receiver operable to receive a data packet from the transmitting entity,

a determining unit operable to determine whether the data packet has been successfully decoded,

a transmitter operable to transmit a feedback message to the transmitting entity, if it has been determined that the data packet has not been successfully decoded, wherein the feedback message indicates to the transmitting entity to transmit a retransmission data packet for said received data packet after a predetermined time span upon having received said feedback message,

a scheduler operable to schedule data transmissions of a plurality of transmitting entities comprising said transmitting entity,

wherein said transmitter is operable to transmit a common control message to a plurality of transmitting entities comprising said transmitting entity,

wherein the common control message restricts the transmission format combination subset of each of the plurality of transmitting entities to determine a maximum resource common to the plurality of transmitting entities, wherein the communication system is adapted to perform a HARQ protocol with synchronous retransmission to retransmit data from the mobile terminal to the base station via a data channel.